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TO RUEHC/SECSTATE WASHDC PRIORITY 9015
INFO RUCNASE/ASEAN MEMBER COLLECTIVE
RUEHGG/UN SECURITY COUNCIL COLLECTIVE
RUEHBY/AMEMBASSY CANBERRA 1985
RUEHNE/AMEMBASSY NEW DELHI 5462
RUEHUL/AMEMBASSY SEOUL 9056
RUEHKO/AMEMBASSY TOKYO 6632
RUEAIIA/CIA WASHDC
RHHMUNA/CDR USPACOM HONOLULU HI
RUEHGV/USMISSION GENEVA 4445
RHEHNSC/NSC WASHDC
RUCNDT/USMISSION USUN NEW YORK 2438
RUEKJCS/SECDEF WASHDC
RUEHBS/USEU BRUSSELS
RUEKJCS/JOINT STAFF WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 000303

SIPDIS

DEPT FOR CA/OCS/ACS/EAP; STATE FOR EAP/MLS AND IO; PACOM
FOR FPA

E.O. 12958: DECL: 05/21/2019

TAGS: [CASC](#) [PGOV](#) [PHUM](#) [PREL](#) [PINR](#) [BM](#)

SUBJECT: BURMA: ASSK TRIAL - ALL PLEAD NOT GUILTY; YETTAW'S
COURTROOM OUTBURST

REF: RANGOON 295

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Classified By: P/E Chief Jennifer Harhigh for Reasons 1.4 (b) & (d)

Summary

11. (SBU) Amcit John Yettaw, whose mental state appears to be deteriorating, proclaimed Aung San Suu Kyi (ASSK) and her two assistants innocent during an unprovoked courtroom outburst May 22. The day's trial focused largely on Yettaw; ASSK attended only the afternoon session. At the conclusion of the proceedings, prosecutors formally charged ASSK, her two assistants and Yettaw as expected; all four pleaded 'not guilty.' Embassy Consul, who observed the hearing, spoke with Yettaw briefly during a break and is scheduled to meet privately with Yettaw May 23 at Insein Prison. End summary.

Yettaw: "These Women are Innocent!"

12. (C) During the May 22 afternoon session of the trial, Yettaw, unprovoked and addressing himself to the U.S. Consul, shouted out in court: "Others are involved! These women are innocent! I could kick myself for not saying so! Mr. Furst (Consul), they let me in!" (Note: Consul believes Yettaw's latter statement referred to Burmese authorities who had granted him a visa and allowed him to enter the country. End note.) Consul did not respond.

13. (C) Several police and immigration officials testified during the morning session about Yettaw's alleged violations of his visa status and his entry into Burma. Two witnesses -- the manager of the Rangoon hotel where Yettaw stayed and the police lieutenant who inventoried his belongings -- confirmed following questioning by defense attorneys that the inventory was conducted without a search warrant. Police Special Branch (SB) Deputy Director Colonel Win Naing Tun testified, over defense objections that he was not on the original witness list, that ASSK had violated the terms of

her house arrest by inviting Yettaw into her home, providing him with food and water, and failing to report his visit to authorities.

¶4. (C) Following the conclusion of testimony, authorities formally charged Yettaw with violating immigration rules, trespassing, and abetting ASSK to violate terms of her house arrest. They charged ASSK under Article 22 of the State Protection Law for violating the terms of her house arrest, and they charged her two assistants with abetting her to do so. All four defendants pled "not guilty." Yettaw, while entering his plea, told the judge he had had a vision he needed to warn ASSK of an impending assassination attempt and that a previous separate vision had caused him to go through water to deliver to her the Book of Mormon.

Yettaw Declining, Obsessed with Death

¶5. (C) Consul spoke privately with Yettaw for only five minutes on the margins of the May 22 session. Yettaw's mental state appears to be declining; he broke down in tears and told Consul, "It's all turned around. I had the most honorable intentions." Yettaw continues to experience "horrible" nightmares and is obsessed with death. He said he is taking vitamins and electrolytes but is still refusing food. Consul confirmed that a psychiatrist, a heart specialist, and a general practitioner are scheduled to examine Yettaw on the evening of May 22.

¶6. (C) SB Colonel Win Naing Tun said Consul may meet privately with Yettaw May 23 at Insein Prison. (Note: Minister of Home Affairs Maung Oo had told Charge May 21

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during a meeting in Nay Pyi Taw that Consul would be permitted to renew conversation with Yettaw May 22 (Septel).)

Next Steps

¶7. (C) The trial has thus far been conducted in accordance with routine Burmese legal procedures -- prosecution witnesses have testified, the prosecution presented formal charges, and the defendants have entered their pleas. As all defendants pled "not guilty," the defense will now call its witnesses to testify. We understand from Yettaw's attorney that he does not intend to call any witnesses on his behalf, but Yettaw will take the stand in his own defense. According to Burmese legal observers and Consul, who has observed every session of the trial to date, prosecutors are trying to show that ASSK violated her restrictions specifically by: accepting Yettaw into her home; providing him food, water and shelter; accepting the Muslim outfits (Ref A) from him as a "gift;" taking "full responsibility" for the items he left behind in her home; and failing to notify police of his intrusion.

¶8. (C) ASSK's private attorney, Kyi Win (aka Neville),, told Consul privately May 22 he estimates the trial would continue for an additional two-three weeks. He also told Consul that "You can't expect anything surprising from this court. This court is a one-way track."
DINGER